IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES H. WILLIAMS, :

V.

Plaintiff

No. 1:01-CV-0280

Judge Kane

RICHARD L. SPAIDE,

Defendant : Electronically Filed Document

DEFENDANT SPAIDE'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant Spaide, through his counsel, moves the Court to enter summary judgment in his favor on all remaining issues because there are no material facts in dispute and Defendant Spaide is entitled to summary judgment as a matter of law.

WHEREFORE, Defendant Spaide's motion for summary judgment should be granted in its entirety and the case filed closed.

Respectfully submitted,

Gerald J. Pappert Attorney General

By: <u>Linda S. Lloyd</u>

LINDA S. LLOYD

Deputy Attorney General

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Dated: July 22, 2004

SUSAN J. FORNEY Chief Deputy Attorney General Chief, Litigation Section

COUNSEL FOR DEFENDANT SPAIDE

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CERTIFICATE OF SERVICE

I, Linda S. Lloyd, Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on July 22, 2002, I served a true and correct copy of the foregoing Motion for Summary Judgment, by causing it to be deposited in the United States Mail, first-class postage prepaid to the following:

James H. Williams, AY-8692 SCI Greene 175 Progress Drive Waynesburg, PA 15370

> s/Linda S. Lloyd LINDA S. LLOYD Deputy Attorney General